

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22488 of 2017

Arising Out of PS.Case No. -175 Year- 2017 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Birbal Mahto, Son of Inderdeo Mahto, Resident of Village- Baswaria Tola Turkaulia, P.S.- Turkaulia, District- East Champaran.
 2. Shambhu Paswan, Son of Sukhal Paswan, Resident of Village- Thukaula Chowk, P.S.- Turkaulia, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Karandeep Kumar

For the Opposite Party/s : Mr. Ram Priya Saran Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-05-2017 Heard the parties.

The petitioners seek regular bail in connection with Turkaulia P.S.Case No.175 of 2017 registered for offences punishable under Sections 272, 273 and 34 of the Indian Penal Code.

Allegation against the petitioner no.1 is about recovery of 30 ltrs. of Toddy and from petitioner no.2, 60 ltrs. of toddy have also been recovered.

It is submitted on behalf of the petitioners that they have clean antecedent and they have been falsely implicated in this case. Petitioners are in custody for more than 1 ½ months. It is also submitted that the marriage of the daughter of petitioner no.2



is fixed in this month itself.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, as well as the fact that the petitioners have clean antecedent, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of C.J.M., East Champaran at Motihari in connection with Turkaulia P.S.Case No.175 of 2017.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on their part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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